DOCUMENT RESUME

ED 395 403 EC 304 796

AUTHOR	Cooley, Sid
TITLE	Suspension/Expulsion of Regular and Special Education Students in Kansas: A Report to the Kansas State Board of Education.
INSTITUTION	Kansas State Board of Education, Topeka.
PUB DATE	22 Nov 95
NOTE	52p.
PUB TYPE	Reports - Research/Technical (143) -- Tests/Evaluation Instruments (160)
EDRS PRICE	MF01/PC03 Plus Postage.
DESCRIPTORS	Aggression; Antisocial Behavior; Behavior Disorders; Behavior Problems; Comparative Analysis; *Disabilities; *Discipline Problems; *Expulsion; Incidence; Learning Disabilities; Secondary Education; *Special Education; State Surveys; Student Characteristics; *Suspension; Violence
IDENTIFIERS	*Kansas

ABSTRACT

This study examined whether acts leading to suspension or expulsion of students with disabilities were different from those committed by other students, based on a survey of 441 Kansas secondary school principals. Students with disabilities were found to be more than twice as likely to be suspended/expelled than other students, with 87 percent of those suspended/expelled having been diagnosed with either behavior disorders or learning disabilities. These students represented 1 percent and 4.5 percent, respectively, of the Kansas student population, but each group made up 11 percent of those suspended/expelled. While no significant differences were found between the acts leading to suspension/expulsion by these students and those committed by students without disabilities, findings were taken to suggest that many students' Individualized Education Plans fail to adequately provide them with the skills they need to get along in society. Incidents involving assaults on teachers represented 2.2 percent of overall incidents, and firearms were involved in 1.8 percent of incidents. Students with and without disabilities were equally likely to commit violent acts or bring weapons to school. Statistics on suspension and expulsion are further analyzed by gender and ethnicity. Implications for special education objectives and practice are discussed. Appendices include surveys and survey request letters. (Author/PB)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☐ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy

ED 395 403

SUSPENSION/EXPULSION OF REGULAR AND SPECIAL EDUCATION STUDENTS IN KANSAS:

A REPORT TO THE KANSAS STATE BOARD OF EDUCATION

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL HAS BEEN GRANTED BY
S. Cooley
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

DR. SID COOLEY,
PROJECT DIRECTOR

November 22, 1995

EC304796

BEST COPY AVAILABLE

SUSPENSION/EXPULSION
OF
REGULAR AND SPECIAL EDUCATION
STUDENTS IN KANSAS

Executive Summary

As part of the efforts of the Kansas State Board of Education to address violence in Kansas schools, a survey was mailed on March 7, 1995, to all middle, junior high, and high school principals in Kansas. The purpose of this study was to determine whether acts leading to the suspension or expulsion of students with disabilities are different from those committed by other students. This issue was examined because of concern expressed by educators over limitations on suspending or expelling students who receive special education services.

The results of the study were surprising in that other findings were more significant than the one for which the study was undertaken. There were no educationally relevant differences between acts leading to the suspension or expulsion of students with disabilities and those committed by other students. More significant was the fact that students with disabilities are more than twice as likely to be suspended/expelled as other students. Equally alarming is the fact that the great majority (87%) of the students with disabilities suspended/ expelled are either students with behavior disorders (BD) or those with learning disabilities (LD). Students with behavior disorders and students with learning disabilities comprise 1.0 percent and 4.5 percent respectively of the Kansas school population, but make up 22 percent (11% each) of those suspended/expelled. Students with behavior disorders have been identified specifically because they are unable to meet societal expectations with regard to behavior. Students with learning disabilities are recognized as frequently having difficulty understanding social situations and learning appropriate coping skills for dealing with frustrating or difficult situations. In view of the high percentage of these students suspended/ expelled, the question arises as to whether their individual education plans (IEP) are effective in providing them with the skills they need to get along in society.

Another finding of significance was that those acts frequently mentioned as being of concern to teacher safety, guns in school and frequency of assaults on staff, represented only a very small part of those that result in disciplinary action in schools. In addition there were no serious injuries associated with these incidents. Students identified as receiving special education were not any more likely to cause injuries than other students. Assaults on

teachers made up only 2.2 percent (24 of 1,094 acts reported) of the incidents and guns only 1.8 percent (20 of the 1,094 acts reported). The majority of acts (59%) did not involve any "weapon." In those that did, over 90 percent of "weapons" were hands or feet. No injuries were reported in gun-related incidents and no serious injuries to school staff were reported as a result of assaults. Half the gun incidents reported were in rural areas. Only 5 of the 20 gun incidents were reported in urban districts. The remainder were from small cities.

The great majority of the acts (92%) which led to suspensions/expulsions were what might be considered traditional offenses. The major ones were disobedience, altercations with other students, and disrespect. Others included smoking, skipping school, and petty thefts. In addition to what might be considered traditional offenses, 5.7 percent of the incidents involved drugs (37 of the 1,094 acts reported) or alcohol (25 of the 1,094 acts reported.)

Significant differences were found with regard to gender and ethnic/racial differences. The great majority of those suspended were male (83%.) Asians, and Native Americans were suspended/ expelled half as often as other groups. Blacks and Hispanic groups were only slightly over represented among those suspended/expelled and that difference was not statistically significant. Whites were proportionally represented.

In sum, students with behavior disorders and learning disabilities are suspended at more than twice the rate of other students, but the acts they are suspended for are, for all practical purposes, no different from those of other students. Most acts for which students are suspended/expelled are what one might consider traditional offenses. Serious acts that are of concern to society today (guns and assaults on staff) make up only a small part of the discipline problems that schools deal with. Schools need to be credited with being vigilant in preventing serious problems from arising. Anecdotal reports indicate that school personnel are taking precautions to prevent weapons from being brought into their buildings and reacting swiftly when they are.

It would appear that a more positive approach to discipline problems of those receiving special education services is needed. Instead of putting these students out of school, it would be more helpful to examine their individual education programs (IEP) to determine how to help them deal with their acknowledged difficulty in recognizing and following societal norms. Schools are the only place society has an organized educational structure with the capability of providing these students with the skills to understand social situations and to make the appropriate behavioral choices. Making it easier to remove these students from school will not solve the problem; it only moves the problem outside the schools. Legal options do exist to deal with those few cases in which students present a real threat to school safety.

SUSPENSION/EXPULSION
OF
REGULAR AND SPECIAL EDUCATION
STUDENTS IN KANSAS

Introduction

One of the Standards set by the Kansas State Board of Education (KSBE) under Kansas' Quality Performance Accreditation process is schools which "provide a safe and orderly environment conducive to learning." KSBE has a number of programs to assist schools in improving safe and orderly environments. There are also a number of crossagency teams working to find ways to help schools improve in this area. Because of concern expressed by educators over limitations on suspending or expelling students who receive special education services, it was decided to carry out a study to determine the nature and extent of the perceived problem.

The first effort made to address this issue did not provide the information needed to answer the questions related to the problem. An attempt was made to review the actual discipline records kept by the public schools in Kansas. It was found that insufficient information was recorded to answer the questions related to the issue. A second strategy, which proved effective, was decided upon. A survey (Appendix A) was developed and reviewed by KSBE staff and several principals in public schools. On March 2, 1995, Superintendents were sent a copy of the survey and a memo (Appendix B) informing them of the study. Then on March 7, 1995, three copies of the survey and a cover letter (Appendix C) were mailed to all middle, junior high, and high school principals in Kansas. The principal or administrator responsible for discipline was asked to indicate for the last three students suspended or expelled, the reason for the suspension or expulsion, what type of weapon was involved if it was a fight or assault, the degree of injury if someone was hurt, and what they believed was the motive of the student. Administrators were asked to return the surveys by March 24, 1995.

Results

Administrators from 441 of the 552 secondary buildings responded for a return rate of 80 percent. Three hundred ninety-four or 89 percent of the respondents reported at least one suspension/expulsion. Forty-seven administrators reported that they had no suspensions/ expulsions during the period covered by the study. Those administrators reporting suspensions/expulsions provided information on 1,094 incidents. Most of the administrators (333 or 84%) reported three incidents of suspensions/expulsions. Thirty-three (33) reported only two incidents (8% of those reporting) and 29 (7%) reported only one suspension/ expulsion.

Possible threats to validity were evaluated using data from State Building Reports. An examination of enrollment and student/teacher ratio variables was made to determine if there were any differences between buildings whose administrators reported suspensions/ expulsions, those who reported none, and those not responding. Buildings whose administrators reported no suspensions/expulsions were significantly smaller (average enrollment = 135) than both those whose administrators reported suspensions/expulsions (average enrollment = 417), $F(1, 438) = 24.16$, $p > 0.0001$, and those not responding (average enrollment = 392), $F(1, 157) = 21.18$, $p > 0.0001$. Buildings whose administrators reported no suspensions/expulsions also had significantly smaller pupil/teacher ratios (average = 9.5) than those whose administrators reported suspensions/expulsions (average = 13.3), $F(1, 438) = 61.24$, $p > 0.0001$, and those not responding (average = 13.3), $F(1, 157) = 46.19$, $p > 0.0001$. There was no difference in either average enrollment, $F(1, 502) = 0.34$, $p = 0.56$, or pupil/teacher ratio, $F(1, 502) = 0.0008$, $p = 0.98$, between buildings whose administrators reported suspensions/expulsions and those who reported no suspensions/ expulsions.

There were two conclusions that resulted from the examination of enrollment and student/teacher ratio data. First, there was no threat to the validity of the study results due to the failure of some administrators to respond. Second, schools that have smaller enrollments and pupil teacher ratios have fewer discipline problems.

Gender and Race/Ethnicity

Examination of gender and racial/ethnic variables revealed some significant differences. One difference, which was not unexpected, was that males were suspended/expelled at a much greater rate (83%) than females (17%), $\chi^2(1, N = 1{,}093) > 50{,}000$, $p < 0.0001$. The second statistically significant difference, $\chi^2(1, N = 1{,}081) = 11.92$, $p = 0.0006$, was that Asians and Native Americans were only half as likely to be suspended/expelled as other

students. While representing only 1.39 percent (15 of 1,081) of those suspended /expelled, they made up 3.25 percent of the enrollment of buildings in the study. (See Tables 1 and 2.) Blacks, Hispanics and Whites were not suspended/expelled at different rates, $\chi^2(1, \underline{N} = 1{,}081) = 2.17$, $p = 0.14$; $\chi^2(1, \underline{N} = 1{,}081) = 2.05$, $p = 0.15$; and $\chi^2(1, \underline{N} = 1{,}081) = 0.12$, $p = 0.72$, respectively. The graph in figure 1 illustrates these findings.

Grade Levels

The grade levels of the students in the study are found in Table 3. Two interesting trends are noticed in the data. First, the rates of suspensions/expulsions increase with the grade level until grade nine, the grade with the highest rate of suspensions/expulsions; then they decrease. Second, the rate of suspensions/expulsions for students receiving special education services is greater below grade nine than it is for regular education students and less at grade nine and above. Students in special education are more likely to be suspended/expelled at the junior high/middle school level than they are at the high school level. On the other hand, regular education students are more likely to be suspended/expelled at the high school level than they are at the junior high/middle school level. This finding was statistically significant, $\chi^2(1, \underline{N} = 989) = 7.58$, $p = 0.006$.

Special Education Students

The data in Table 4 are the numbers and categories of exceptional students reported in the study. The data in Table 5 are the numbers and categories served in special education programs in Kansas. When compared against the Kansas population of exceptional students, those with disabilities were significantly over represented, $\chi^2(1, \underline{N} = 1{,}085) > 50{,}000$, $p < 0.0001$, and students with giftedness were significantly underrepresented, $\chi^2(1, \underline{N} = 1{,}085) = 18$, $p < 0.0001$. Students with disabilities comprised 24.0 percent (260) of those suspended/ expelled, but made-up only 11.0 percent of the Kansas school population. They were more than twice as likely to be suspended/expelled as non-disabled students. On the other hand, students with giftedness were only a third as likely to be suspended/expelled as other students. Students with giftedness comprised only 0.9 percent (10) of those suspended /expelled, but makeup 3.1 percent of the Kansas school population. The graph in Figure 2 allows a visual comparison of the data in Tables 4 and 5.

Students with behavior disorders and learning disabilities make up the majority of students with disabilities who are suspended/expelled. The graph in Figure 3 makes these facts more vivid. Students with behavior disorders comprise only 1 percent of the Kansas school population, but makeup 11 percent of those suspended/expelled. Students with

Table 1
Gender and Ethnic/Racial Composition of Students Suspended/Expelled

	Ethnic/Racial Group					
Gender	**Asian**	**Black**	**Hispanic**	**Nat. Am.**	**White**	**Total**
Female	**3**	**31**	**21**	**0**	**129**	**184**
	0.28%	2.87%	1.94%	0.00%	11.93%	17.02%
Male	**7**	**77**	**51**	**5**	**757**	**897**
	0.65%	7.12%	4.72%	0.46%	70.03%	82.98%
Total	**10**	**108**	**72**	**5**	**886**	**1081**
	0.93%	9.99%	6.66%	0.46%	81.96%	100%

Table 2
Gender and Ethnic/Racial Composition of the Buildings From Which the Students Were Suspended/Expelled

	Ethnic/Racial Group					
Gender	**Asian**	**Black**	**Hispanic**	**Nat. Am.**	**White**	**Total**
Female	**1,691**	**7,008**	**4,488**	**942**	**65,803**	**79,932**
	1.03%	4.27%	2.73%	0.57%	40.08%	48.69%
Male	**1,698**	**7,320**	**4,794**	**1,005**	**69,427**	**84,244**
	1.03%	4.46%	2.92%	0.61%	42.29%	51.31%
Total	**3,389**	**14,328**	**9,282**	**1,947**	**135,230**	**164,176**
	2.06%	8.73%	5.65%	1.19%	82.37%	100.00%

ETHNIC/RACIAL COMPOSITION OF STUDENTS SUSPENDED/EXPELLED AND BUILDINGS FROM WHICH THEY WERE SUSPENDED/EXPELLED

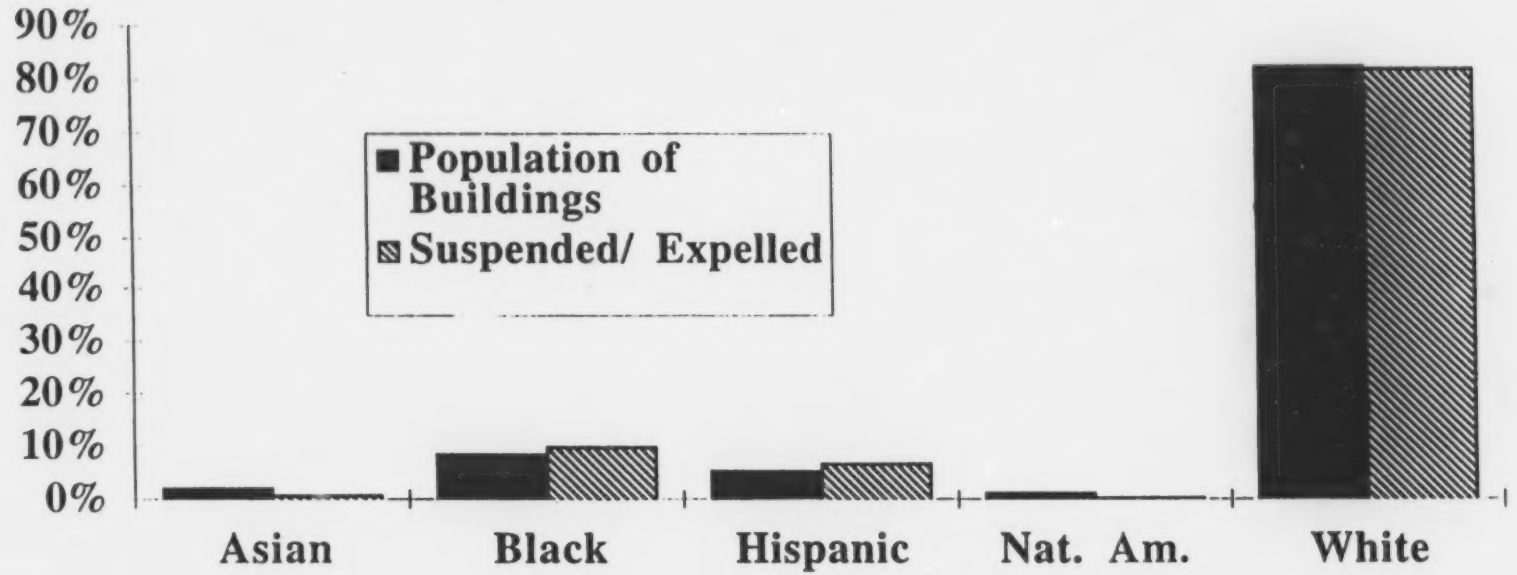

Figure 1

Table 3
Grade Placement of Students Suspended/Expelled

Grade	Regular Education	Special Education	Total
Five	**5**	**1**	**6**
	0.68%	0.39%	0.61%
Six	**32**	**17**	**49**
	4.36%	6.67%	4.95%
Seven	**87**	**40**	**127**
	11.85%	15.69%	12.84%
Eight	**133**	**56**	**189**
	18.12%	21.96%	19.11%
Nine	**156**	**53**	**209**
	21.25%	20.78%	21.13%
Ten	**132**	**41**	**173**
	17.98%	16.08%	17.49%
Eleven	**117**	**27**	**144**
	15.94%	10.59%	14.56%
Twelve	**72**	**20**	**92**
	9.81%	7.84%	9.30%
Total	**734**	**255**	**989**
	100.00%	100.00%	100.00%

Table 4
Categories of Exceptional Students Suspended/Expelled

Exceptionality	
Attention Deficit Disorder	**9**
	3.33%
Behavior Disorders	**117**
	43.33%
Gifted	**10**
	3.70%
Hearing Impaired	**1**
	0.37%
Learning Disabled	**118**
	43.70%
Mental Retardation (EMR)	**10**
	3.70%
Mental Retardation (TMR)	**3**
	1.11%
Speech/Language	**1**
	0.37%
Other	**1**
	0.37%
Total	**270**
	100.00%

Table 5
Students With Disabilities in Kansas
(Percent of all Students)

Disability	
Autism	**192**
	0.04%
Behavior Disorders	**4,641**
	1.01%
Early Childhood	**3,416**
	0.74%
Hearing Impaired	**455**
	0.10%
Learning Disabled	**20,734**
	4.50%
Mental Retardation (EMR)	**4,385**
	0.95%
Mental Retardation (TMR)	**1,041**
	0.23%
Other Health Impaired	**1,674**
	0.36%
Speech/Language	**12,591**
	2.73%
Visually Impaired	**198**
	0.04%
Other	**1,409**
	0.31%
All Students in Kansas	**460,838**
	11.01%

EXCEPTIONAL STUDENTS IN KANSAS

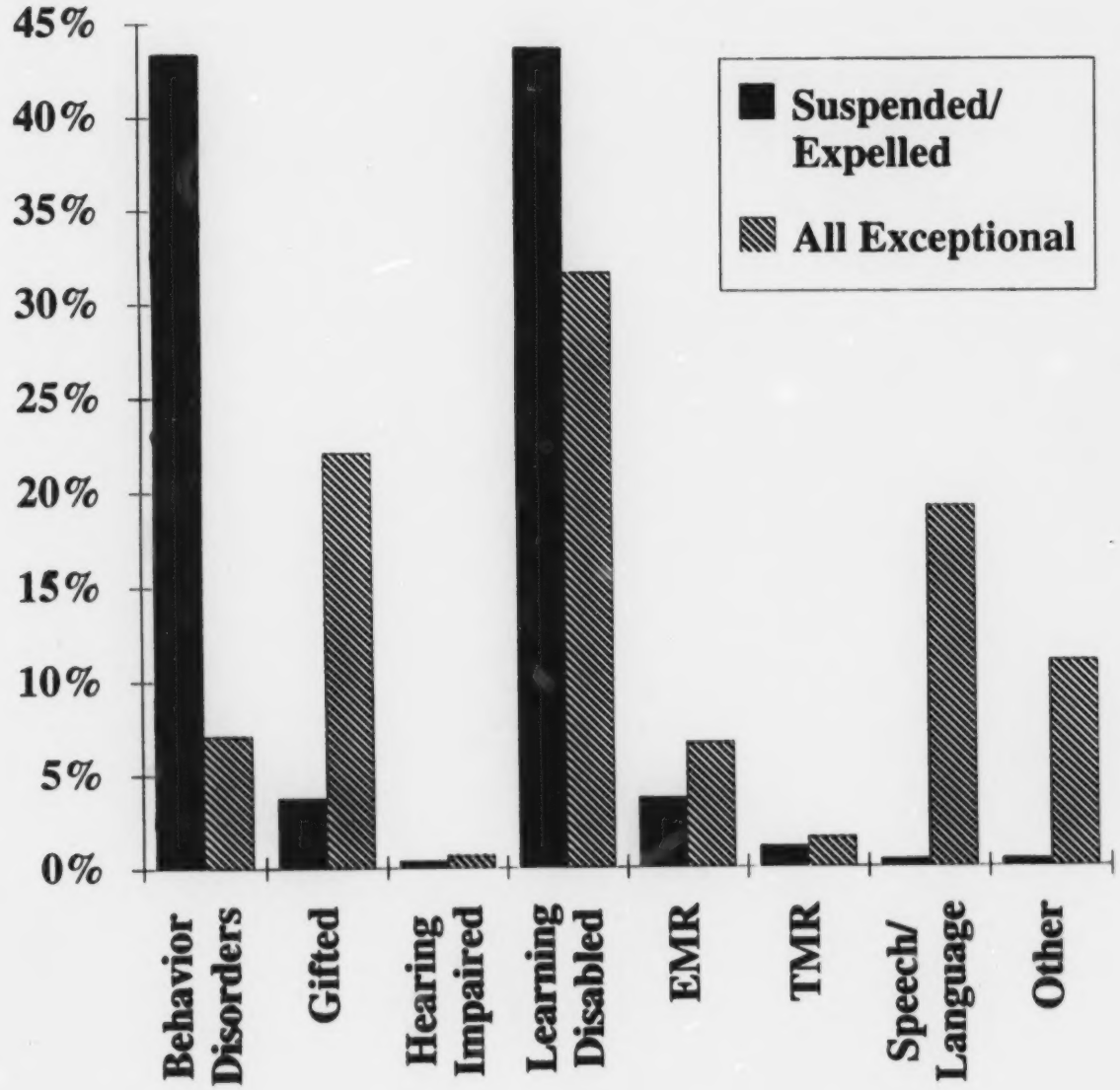

Figure 2

CATEGORIES OF EXCEPTIONAL STUDENTS SUSPENDED/EXPELLED

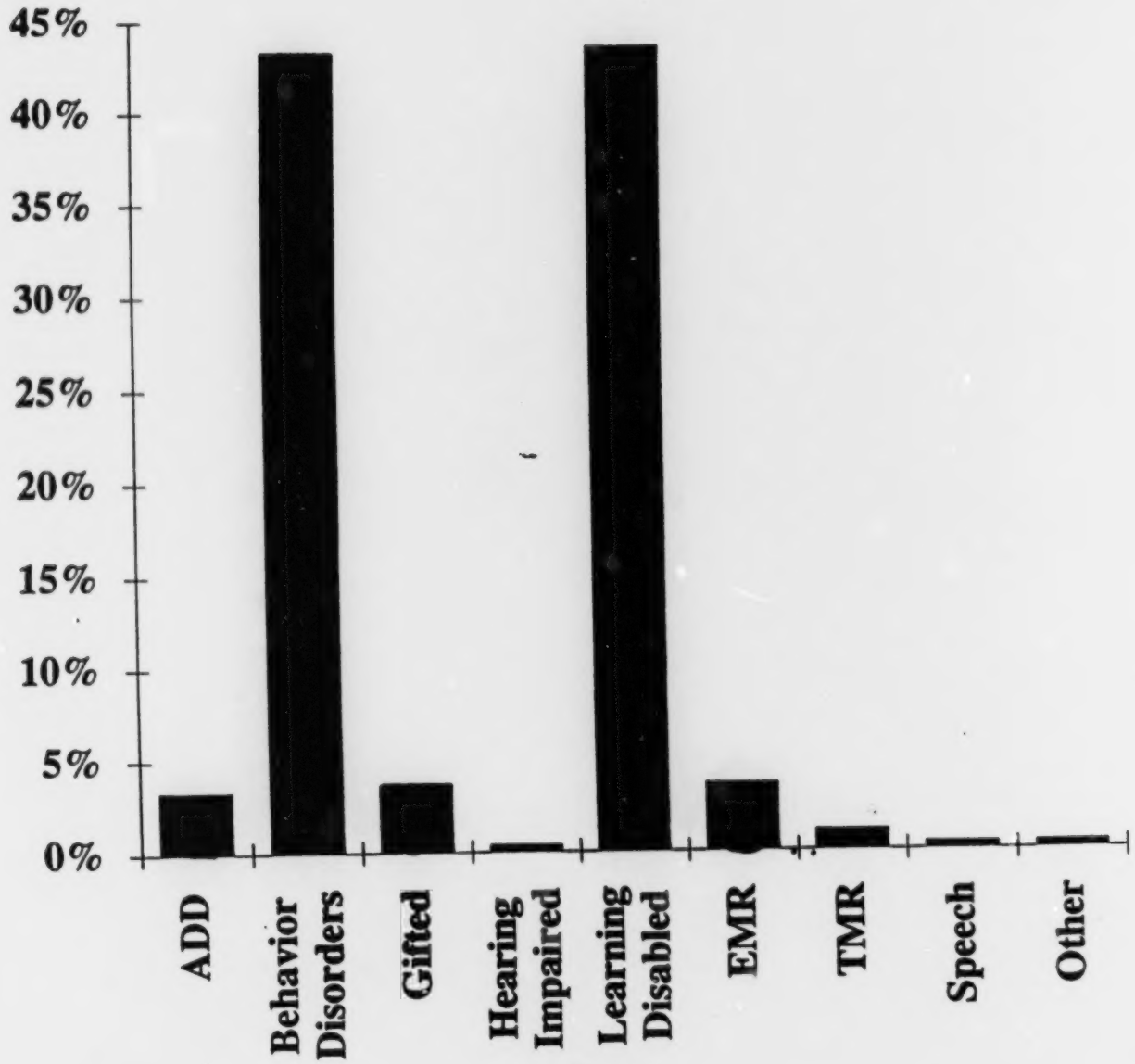

Figure 3

learning disabilities comprise 4.5 percent of the Kansas school population, but they, too makeup 11 percent of those suspended/expelled. Students with behavior disorders are eleven times as likely to be suspended or expelled as other students, and students with learning disabilities are almost two and a half times as likely. These findings take on more significance when one considers the fact that, if these students are having behavior problems that affect their education, these problems should be addressed in their individual education plans (IEP). It would appear that, either the behavior problems are not being addressed in their IEPs, or the planned interventions are not successful to the extent one would wish.

Reasons for Suspensions/Expulsions

The reasons for being suspended/expelled are listed in Table 6. The over all test for significance indicated that there was no difference in the reasons for which special education and regular education students were suspended/expelled, χ^2 (10, $\underline{N}$ = 1,089) = 16.97, p = 0.07. (Because of small cell size, drugs and alcohol were combined; assaulting students, harassing students, and threatening students were combined; and assaulting staff and threatening staff were combined for the statistical test. The combined categories of reasons for being suspended/expelled are given in figure 4.) When examined by individual reasons, significant differences at the .05 level were found only in verbal threats to staff, χ^2 (1, $\underline{N}$ = 1,089) = 5.32, p = 0.02. Special education students were somewhat more likely to threaten staff than were regular education students. It should be noted that threats to staff made up a very small part of suspensions/expulsions.

The great majority of the acts (92%) which led to suspensions/expulsions were what might be considered traditional offenses. The major ones were disobedience (23%), altercations with other students [fighting (22%) and assaulting other students (9%)], and disrespect (13%). Others included smoking, skipping school and petty thefts. In addition to what might be considered traditional offenses, 5.7 percent of the incidents involved drugs (37 of the 1,094 acts reported) or alcohol (25 of the 1,094 acts reported.) Acts frequently mentioned as being of concern to teacher safety, guns in school and frequency of assaults on staff, represented only a very small part of those that result in disciplinary action in schools. Assaults on teachers made up only 2.2 percent (24 of 1,094 acts reported) of the incidents and guns only 1.8 percent (20 of the 1,094 acts reported).

Incidents involving guns did not result in any injuries. Half (10) the suspensions/ expulsions incidents involving guns occurred in buildings in very rural parts of the state. Only five incidents were reported from buildings in urban areas. The remaining five incidents occurred in buildings located in small cities.

Table 6
Reasons for Suspension/Expulsion

Reason	Regular Education	Special Education	Total
Alcohol	21	4	25
	2.58%	1.46%	2.30%
Assaulting Staff	14	10	24
	1.72%	3.65%	2.20%
Assaulting Student	65	29	94
	7.98%	10.58%	8.63%
Attendance/Tardy	38	8	46
	4.66%	2.92%	4.22%
Disobedience	186	62	248
	22.82%	22.63%	22.77%
Disrespect	104	40	144
	12.76%	14.60%	13.22%
Drugs	30	7	37
	3.68%	2.55%	3.40%
Fighting	188	48	236
	23.07%	17.52%	21.67%
Gang Activity	4	0	4
	0.49%	0.00%	0.37%
Gun	14	6	20
	1.72%	2.19%	1.84%
Harassing Students	2	0	2
	0.25%	0.00%	0.18%
Inappropriate Objects	11	3	14
	1.35%	1.09%	1.29%
Knife	12	6	18
	1.47%	2.19%	1.65%
Language	4	2	6
	0.49%	0.73%	0.55%
Sexual Harassment	6	2	8
	0.74%	0.73%	0.73%
Smoking/Tobacco	36	14	50
	4.42%	5.11%	4.59%
Theft	34	12	46
	4.17%	4.38%	4.22%
Threatening Staff	8	8	16
	0.98%	2.92%	1.47%
Threatening Student	2	1	3
	0.25%	0.36%	0.28%
Vandalism	13	7	20
	1.60%	2.55%	1.84%
Other	23	5	28
	2.82%	1.82%	2.57%
Total	815	274	1089
	74.84%	25.16%	100.00%

REASONS FOR SUSPENSION/EXPULSIONS

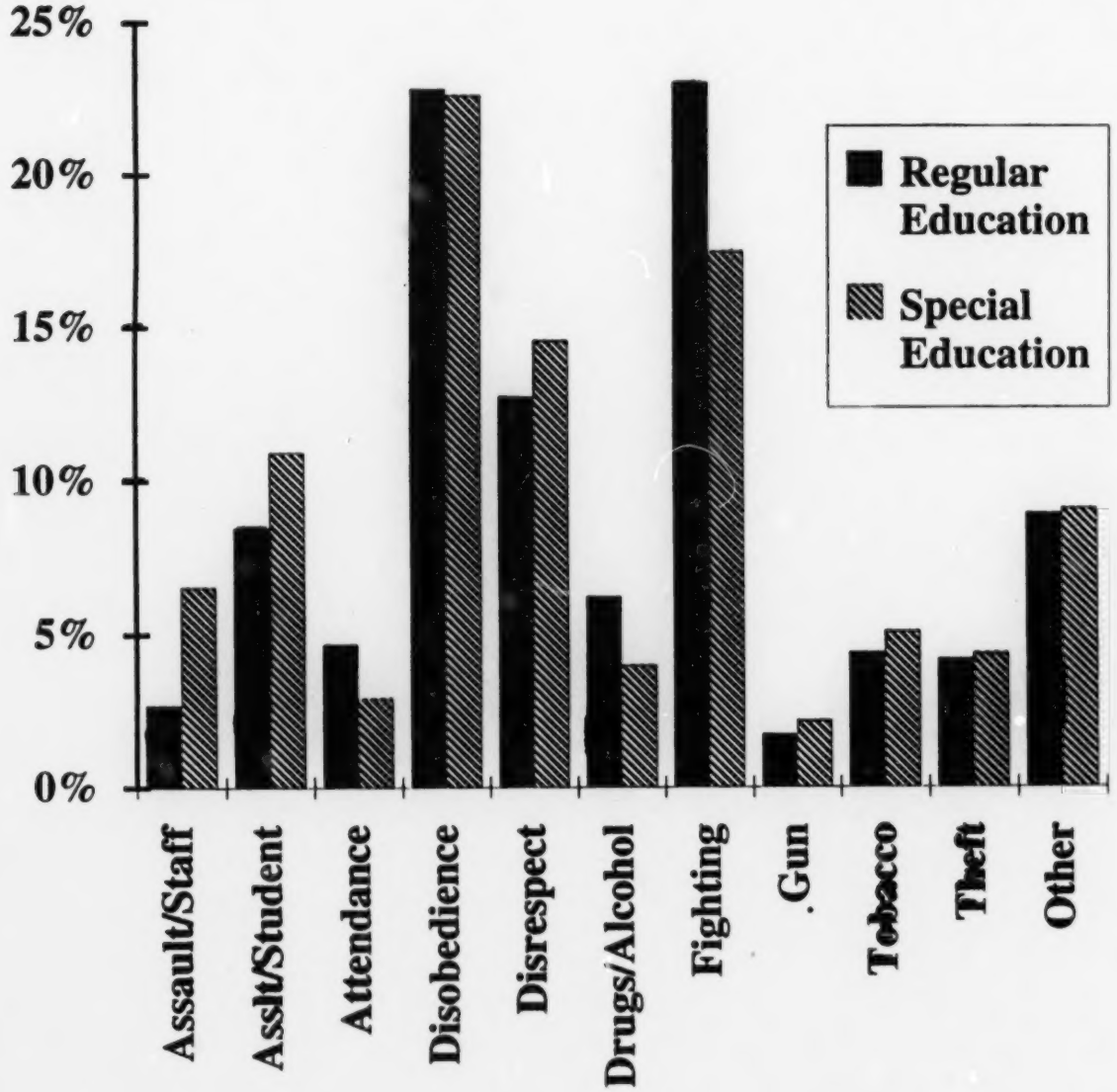

Figure 4

A break down of suspension/expulsion offenses by junior high/middle school and high school levels is presented in Tables 7 and 8. Overall, acts leading to suspension/expulsion of students in grades 5-8 were significantly different from those committed by those in grades 9-12, χ^2 (10, N = 989) = 46.08, p>0.0001. (Because of small cell size drugs and alcohol were combined; assaulting students, harassing students, and threatening students were combined; and assaulting staff and threatening staff were combined for the statistical test.) When the specific categories were examined to see where the specific differences were, it was revealed that students in grades 9-12 were more likely to skip school or be tardy, χ^2 (1, N = 44) =17.66, p>0.0001, and to be disobedient, χ^2 (1, N = 225) = 7.14, p=0.008, than those in grades 5-8. Students in grades 5-8 were more likely to be involved in fights than those in grades 9-12, χ^2 (1, N = 209) = 10.42, p=0.001. The data indicate that there is a shift in the nature of acts leading to suspension/expulsion. That shift is from acts of a more aggressive nature in grades 5-8 to ones that are acts of defiance in grades 9-12.

Since aggressive acts were seen more frequently at the junior high/middle school level a second analysis was made to see if there were other interactions between special education placement and grade level. Assaults on staff, assaults on students and fights were combined and analyzed to see if there were any significant differences in aggressive acts between special education students and regular students in grades 5-8 as compared to grades 9-12. Significant differences were found, χ^2 (1, N = 316) = 4.60, p=0.03. Special education students were more likely to be involved in aggressive acts at the junior high/middle school level than they were at the high school level. The opposite was true for regular education students.

Weapons

It can be observed from the data in Table 9 that the majority of acts leading to suspensions/expulsions did not involve any weapon. When a "weapon" was involved, it was almost always hands or feet. Guns, knifes, and other serious weapons were involved in only a very small number of assaults or fights. The percentage of cases in which a weapon was not used is probably higher than indicated, since administrators did not always mark "not applicable--no assault or fight" when there was no weapon involved. Analysis of the data indicated that there was no significant difference related to the involvement of weapons among those in special education as compared to those in regular education, χ^2 (4, N = 877) = 6.17, p=0.19.

Table 7
Reasons for Suspensions/Expulsions of Students in Grades 5-8

Reason	Regular Education	Special Education	Total
Alcohol	5	1	6
	1.95%	0.88%	1.62%
Assaulting Staff	3	6	9
	1.17%	5.26%	2.43%
Assaulting Student	23	16	39
	8.95%	14.04%	10.51%
Attendance/Tardy	3	0	3
	1.17%	0.00%	0.81%
Disobedience	50	15	65
	19.46%	13.16%	17.52%
Disrespect	28	17	45
	10.89%	14.91%	12.13%
Drugs	11	3	14
	4.28%	2.63%	3.77%
Fighting	77	24	101
	29.96%	21.05%	27.22%
Gang Activity	1	0	1
	0.39%	0.00%	0.27%
Gun	6	4	10
	2.33%	3.51%	2.70%
Inappropriate Objects	9	2	11
	3.50%	1.75%	2.96%
Knife	4	3	7
	1.56%	2.63%	1.89%
Language	1	0	1
	0.39%	0.00%	0.27%
Sexual Harassment	4	1	5
	1.56%	0.88%	1.35%
Smoking/Tobacco	8	6	14
	3.11%	5.26%	3.77%
Theft	16	6	22
	6.23%	5.26%	5.93%
Threatening Staff	1	4	5
	0.39%	3.51%	1.35%
Threatening Student	0	1	1
	0.00%	0.88%	0.27%
Vandalism	1	2	3
	0.39%	1.75%	0.81%
Other	6	3	9
	2.33%	2.63%	2.43%
Total Grades 5-8	257	114	371
	100.00%	100.00%	100.00%

Table 8
Reasons for Suspensions/Expulsions of Students in Grades 9-12

Reason	Regular Education	Special Education	Total
Alcohol	10	3	13
	2.10%	2.13%	2.10%
Assaulting Staff	10	4	14
	2.10%	2.84%	2.27%
Assaulting Student	36	9	45
	7.55%	6.38%	7.28%
Attendance/Tardy	33	8	41
	6.92%	5.67%	6.63%
Disobedience	119	41	160
	24.95%	29.08%	25.89%
Disrespect	65	19	84
	13.63%	13.48%	13.59%
Drugs	17	4	21
	3.56%	2.84%	3.40%
Fighting	87	21	108
	18.24%	14.89%	17.48%
Gang Activity	3	0	3
	0.63%	0.00%	0.49%
Gun	6	1	7
	1.26%	0.71%	1.13%
Harassing Students	1	0	1
	0.21%	0.00%	0.16%
Inappropriate Objects	1	1	2
	0.21%	0.71%	0.32%
Knife	8	2	10
	1.68%	1.42%	1.62%
Language	3	2	5
	0.63%	1.42%	0.81%
Sexual Harassment	2	1	3
	0.42%	0.71%	0.49%
Smoking/Tobacco	27	8	35
	5.66%	5.67%	5.66%
Theft	16	6	22
	3.35%	4.26%	3.56%
Threatening Staff	7	4	11
	1.47%	2.84%	1.78%
Threatening Student	2	0	2
	0.42%	0.00%	0.32%
Vandalism	8	5	13
	1.68%	3.55%	2.10%
Other	16	2	18
	3.35%	1.42%	2.91%
Total Grades 9-12	477	141	618
	100.00%	100.00%	100.00%

Table 9
Weapons Reported in Connection With Suspensions/Expulsions

Weapon	Regular Education	Special Education	Total
Gun	**6**	**1**	**7**
	0.92%	0.44%	0.80%
Hands, Etc.	**249**	**82**	**331**
	38.37%	35.96%	37.74%
Knife	**2**	**4**	**6**
	0.31%	1.75%	0.68%
Other	**11**	**5**	**16**
	1.69%	2.19%	1.82%
Not Applicable	**381**	**136**	**517**
	58.71%	59.65%	58.95%
Total	**649**	**228**	**877**
	100.00%	100.00%	100.00%

The data in Table 10 on weapon involvement confirms the shift observed in the nature of acts leading to suspension/expulsion with age. That shift was one of acts of a more aggressive nature in grades 5-8 to ones that are more acts of defiance in grades 9-12. Weapons (mostly hands and feet) were involved more frequently in grades 5-8 than in grades 9-12, $\chi^2(1, N = 793) = 16.73$, $p>0.0001$. The data show that there is a shift in the nature of acts leading to suspension/expulsion from being more likely to hit someone in grades 5-8 to acts of defiance in grades 9-12.

Analysis of the "weapon" data for interaction between special education placement and grade levels indicated that special education students in grades 5-8 were more likely to hit or kick others than those in grades 9-12, $\chi^2(1, N = 320) = 4.53$, $p=0.03$. The opposite was true for regular education students. This supports the finding noted above that special education students were more likely to be involved in aggressive acts at the junior high/middle school level than they are at the high school level.

Injuries

The injuries reported in connection with suspensions/expulsions are reported in Table 11. The great majority of incidents leading to suspensions/expulsions did not result in any injuries to students or staff. When injuries did occur they were mostly minor. Minor injuries were those that resulted in a cut, bruises, scrape, etc., but did not require medical treatment by a professional nor result in the loss of time from work or school. Analysis of the data indicated that there were no differences in the level or degree of injuries caused by students in special education as opposed to those caused by regular education students, $\chi^2(2, N = 1,089) = 0.45$, $p=0.80$. (Because of small cell size the levels of injury from "moderate" to "serious" were combined for the statistical test.)

The injuries reported in connection with suspensions/expulsions are reported in Table 12 by grade level. The data again confirms the shift seen in Tables 7, 8, and 10. As seen in Tables 7 and 8 the nature of acts leading to suspension/expulsion shift from those of a more aggressive nature in grades 5-8 to ones that are acts of defiance in grades 9-12. It was also observed in Table 10, that students in grades 5-8 are more likely to hit or kick others than those in grades 9-12. It was not surprising to find that injuries are more likely to result in grades 5-8 than in grades 9-12, $\chi^2(2, N = 839) = 12.53$, $p=0.002$.

Analysis of the "injury" data for interaction between special education placement and grade levels supported the findings noted above with regard to special education students being more likely to be involved in aggressive acts and to hit at the junior high/middle school level than they are at the high school level. Analysis of the data indicated that special

Table 10
Weapons Reported in Connection With Suspensions/Expulsions by Grade Level

Weapon	Grade 5-8	Grades 9-12	Total
Gun	**1**	**3**	**4**
	0.32%	0.61%	0.50%
Hands, Etc.	**142**	**159**	**301**
	46.10%	32.52%	37.77%
Knife	**1**	**5**	**6**
	0.32%	1.02%	0.75%
Other	**9**	**4**	**13**
	2.92%	0.82%	1.63%
Not Applicable	**155**	**318**	**473**
	50.32%	65.03%	59.35%
Total	**308**	**489**	**797**
	100.00%	100.00%	100.00%

Table 11
Injuries Reported

	Regular Education	Special Education	Total
No Injury	**686**	**226**	**912**
	84.17%	82.48%	83.75%
Minor Injury	**119**	**44**	**163**
	14.60%	16.06%	14.97%
Moderate Injury	**5**	**3**	**8**
	0.61%	1.09%	0.73%
Serious Injury	**4**	**1**	**5**
	0.49%	0.36%	0.46%
Very Serious Injury	**1**	**0**	**1**
	0.12%	0.00%	0.09%
Total	**815**	**274**	**1089**
	100.00%	100.00%	100.00%

Table 12
Injuries by Grade Level Groupings

Grades 5-8

	Regular Education	Special Education	Total
No Injury	**202**	**86**	**288**
	78.60%	75.44%	77.63%
Minor Injury	**51**	**27**	**78**
	19.84%	23.68%	21.02%
Moderate Injury	**1**	**1**	**2**
	0.39%	0.88%	0.54%
Serious Injury	**2**	**0**	**2**
	0.78%	0.00%	0.54%
Very Serious Injury	**1**	**0**	**1**
	0.39%	0.00%	0.27%
Total Grades 5-8	**257**	**114**	**371**
	100.00%	100.00%	100.00%

Grades 9-12

	Regular Education	Special Education	Total
No Injury	**412**	**125**	**537**
	86.37%	88.65%	86.89%
Minor Injury	**59**	**13**	**72**
	12.37%	9.22%	11.65%
Moderate Injury	**4**	**2**	**6**
	0.84%	1.42%	0.97%
Serious Injury	**2**	**1**	**3**
	0.42%	0.71%	0.49%
Very Serious Injury	**0**	**0**	**0**
	0.00%	0.00%	0.00%
Total Grades 9-12	**477**	**141**	**618**
	100.00%	100.00%	100.00%

education students in grades 5-8 were more likely be involved in incidents resulting in cuts, bruises and scrapes than regular education students, χ^2 (1, N =164) = 4.08, p=0.04. The opposite was true grades 9-12.

Tables 13, 14, and 15 provide information on injuries that resulted from assaults on school staff, assaults on other students, and as a result of fights. Assaults include verbal attacks as well as physical assaults in these tables. As seen in Table 13, the majority of "assaults" on staff do not result in injury. Of those that did, only one was listed as moderate. In that case an eighth grade boy in regular education impulsively put a chemical in a teacher's coffee. In cases involving fights between or assaults on students, there is a higher percentage of "injuries," but almost all of them are minor. In fact, over 96 percent of the incidents involving students result in either no injury or only a minor injury. The "weapon" involved in all but one incident leading to a serious injury was hands or feet. The one serious injury from another cause resulted when an eighth grade boy in regular education impulsively put a piece of hot metal on another student. The only injury that was listed as very serious did not result from an assault. It resulted when an eighth grade girl in regular education intentionally took drugs.

Motives

While it is not possible to really know why someone acted as (s)he did, administrators were asked to identify for each student suspended/expelled what they believed was the most likely motive behind the action of the student. The results are presented in table 16. The greatest number of acts were seen as intentional. Impulsive acts were the second most numerous. Students acting in a rage accounted for 12 percent of the actions. Students were rarely seen as acting either out of fear or without an understanding of what they were doing.

An analysis of the results showed that there was a significant difference between the perceived motives of special and regular education students, χ^2 (3, N =1,017) = 10.17, p=0.02. (Due to the small numbers reported, the motives "acting out of fear" and "did not have the ability to understand" were combined for analysis.) Further analysis of specific motives revealed that the only one which was significantly different was the combination of "acting out of fear" and "did not have the ability to understand," χ^2 (1, N =24) = 7.06, p=0.008. Students in special education were seen as more likely to act either "out of fear" or from "not having the ability to understand" more frequently than students in regular education. However, these motives are attributed to only a small number of the acts which resulted in suspensions/expulsions. On the remainder of the motives, special education and

Table 13
Injuries Reported as a Result of Assaults Against Staff

	Regular Education	Special Education	Total
No Injury	**20**	**13**	**33**
	90.91%	72.22%	82.50%
Minor Injury	**1**	**5**	**6**
	4.55%	27.78%	15.00%
Moderate Injury	**1**	**0**	**1**
	4.55%	0.00%	2.50%
Total	**22**	**18**	**40**
	100.00%	100.00%	100.00%

Table 14
Injuries Reported as a Result of Assaults Against Other Students

	Regular Education	Special Education	Total
No Injury	**30**	**13**	**43**
	43.48%	43.33%	43.43%
Minor Injury	**32**	**15**	**47**
	46.38%	50.00%	47.47%
Moderate Injury	**3**	**1**	**4**
	4.35%	3.33%	4.04%
Serious Injury	**4**	**1**	**5**
	5.80%	3.33%	5.05%
Total	**69**	**30**	**99**
Total%	100.00%	100.00%	100.00%

Table 15
Injuries Reported as a Result of Fights Between Students

	Regular Education	Special Education	Total
No Injury	**101**	**26**	**127**
	53.72%	54.17%	53.81%
Minor Injury	**86**	**20**	**106**
	45.74%	41.67%	44.92%
Moderate Injury	**1**	**2**	**3**
	0.53%	4.17%	1.27%
Total	**188**	**48**	**236**
Total%	100.00%	100.00%	100.00%

Table 16
Motive of Students Suspended/Expelled

Motive	Regular Education	Special Education	Total
Impulsively	**225** 29.96%	**63** 23.68%	**288** 28.32%
In a Rage	**90** 11.98%	**32** 12.03%	**122** 12.00%
Intentionally	**424** 56.46%	**159** 59.77%	**583** 57.33%
Out of Fear	**9** 1.20%	**8** 3.01%	**17** 1.67%
Unable to Understand	**3** 0.40%	**4** 1.50%	**7** 0.69%
Total	**751** 100.00%	**266** 100.00%	**1017** 100.00%

regular education students did not differ: "intentionally," χ^2 (1, N =583) = 0.38, p=0.54; "impulsively", χ^2 (1, N =288) = 2.73, p=0.10; and "rage", χ^2 (1, N =122) = 0.0003, p=0.99. A break down of motives by grade level is given in Table 17. No differences were found between motives attributed to those in grades 5-8 as opposed to grades 9-12, χ^2(3, N =122) = 0.91, p=0.82. No further analysis of motives was deemed useful.

School Size

Reasons for suspensions/expulsions were examined to see if larger buildings differed in types of incidents. Building administrators submitted three surveys regardless of building enrollment. If there were differences in suspension/expulsion patterns in buildings of different sizes, this could result in erroneous conclusions regarding the incident rate of the various acts leading to suspensions/expulsions. Two comparisons were made to examine this issue. First, buildings with enrollments below the mean enrollment of those responding (mean = 416) were compared to those above the mean. Second, high schools with enrollments above 900 were compared to those with enrollments less than 900. High schools with enrollments greater than 900 were all in urban or suburban areas, or in large cities. The analysis indicated that there was no difference in the types of incidents related to building enrollment; χ^2 (10, N = 1,089)=14.38, p = 0.16 in the first instance and χ^2 (10, N = 600)=13.69, p = 0.199 in the second instance.

Table 17
Motive of Students Suspended/Expelled by Grade Level

Motive	Grades 5-8	Grades 9-12	Total
Impulsively	**101**	**162**	**263**
	27.90%	28.77%	28.43%
In a Rage	**38**	**69**	**107**
	10.50%	12.26%	11.57%
Intentionally	**214**	**318**	**532**
	59.12%	56.48%	57.51%
Out of Fear	**5**	**11**	**16**
	1.38%	1.95%	1.73%
Unable to Understand	**4**	**3**	**7**
	1.10%	0.53%	0.76%
Total	**362**	**563**	**925**
	100.00%	100.00%	100.00%

Summary and recommendations

No educationally relevant differences between acts leading to the suspension or expulsion of students with disabilities and those committed by other students were found. Students with disabilities were found to be more than twice as likely to be suspended/expelled as other students. More alarming is the fact that the great majority of the students with disabilities suspended/expelled are either students with behavior disorders or those with learning disabilities. Most alarming, however, is the fact that students with behavior disorders and students with learning disabilities make up an inordinate part of those suspended/expelled.

An important age related trend was noted. Special education students were less likely than regular education students to get suspended as they moved from junior high/middle school to high school. They were also less likely than regular education students to be involved in violent acts and the acts to result in injury as they got older.

Commonly expressed concerns, such as teacher safety, guns in the schools, and assaults on staff, were found to represent only a very small part of those actions that resulted in disciplinary action. In addition, there were no serious injuries associated with these incidents. The great majority of the acts that led to suspensions/expulsions were what might be considered traditional offenses. Special education students were no more likely to cause injuries than regular education students.

Schools need to credited with being vigilant in preventing serious problems from arising. It is important to note that 11 percent of the administrators reported that they had no suspensions/expulsions and another 15 percent reported two or fewer suspensions/expulsions for the year. Anecdotal reports indicate that school personnel are taking precautions to prevent weapons from being brought into their buildings and reacting swiftly when they are. Another study completed for the Kansas State Board of Education (KSBE) showed that violence prevention programs and crisis intervention programs were helpful in dealing with incidents that result in suspensions/expulsions. Further development and implementation of such programs would be a positive step in dealing with the problems that led to suspensions/ expulsions.

It would appear that a more positive approach to discipline problems of those receiving special education services is needed. Making it easier to remove these students from school will not solve the problem; it only moves the problem outside the schools. Legal options do exist to deal with those few cases in which students present a real threat to the safety of our schools. Instead of putting these students out of school, it would be more helpful to examine their individual education programs (IEP) to determine how to better help them to deal with

their difficulty in recognizing and following societal norms. Programs for teaching social skills, conflict resolution skills, and for modifying behavior are available.

APPENDIX A

Building #_____

KANSAS STATE BOARD OF EDUCATION
SURVEY OF SUSPENSIONS AND EXPULSIONS

The purpose of this study is to determine whether acts leading to the suspension or expulsion of students with disabilities are different than those committed by other students. This is being examined because of concern expressed by educators over limitations on suspending or expelling students who receive special education services. The information obtained by this survey will be shared not only with Kansas educators, but will be used to make recommendations to Congress regarding changes in the *Individuals with Disabilities Education Act* (IDEA). Only Statewide data will be reported. No individual school or district data will be reported. This is a one time survey to answer questions related to the nature of these acts.

TO BE COMPLETED BY THE PRINCIPAL OR ADMINISTRATOR RESPONSIBLE FOR DISCIPLINE

Instructions: Please complete one survey for each of the **last three** students (regular or special education) you have **suspended or expelled** during the 1994-95 school year. Please **return all three surveys** even if you have not suspended or expelled that many students. Check "no suspension or expulsion" for those surveys you can not complete. **Return by March 24, 1995 to:** Dr. Sid Cooley; Kansas State Board of Education; 120 S.E. 10th Avenue; Topeka, KS 66614-1128.

I. Check the box and return the survey if you have not suspended or expelled enough students to complete this survey.

☐ **No Suspension or Expulsion**

II. Indicate by checking the appropriate box whether or not this student was receiving any special education services (no matter how little time or even if it was in the regular class) at the time of the suspension or expulsion (i.e. had an active IEP).

☐=(1) **Special Education** (including gifted) ☐=(2) **Regular Education**

III. Indicate by checking the appropriate box the reason for the suspension or expulsion. Please think of these actions in terms of every day language, rather than in legal terms. If more than one act was involved, check that which was the most serious in your opinion.

Check only one.

☐=(1) **Assault on Teacher/School Employee**
☐=(2) **Assault on Student**
☐=(3) **Fighting**
☐=(4) **Disobedience**
☐=(5) **Disrespect**
☐=(6) **Vandalism/Destruction of Property**
☐=(7) **Theft**
☐=(8) **Possession of a Gun**
☐=(9) **Possession of a Knife**
☐=(10) **Possession of Drugs**
☐=(11) **Possession of Alcohol**
☐=(12) **Other** _____

IV. For assaults and fights indicate the type of weapon or mode of attack. If more than one type of weapon or mode was involved, check that which caused the most serious injury in your opinion.

Check only one.

☐=(1) **Not Applicable -- No Assault or Fight**
☐=(2) **Hands, Feet, Teeth, etc.**
☐=(3) **Gun**
☐=(4) **Knife**
☐=(5) **Club**
☐=(6) **Other** _____

Please complete the other side.

OVER

V. Indicate the type of injury that resulted from the incident. If there was more than one type of injury or person hurt, check that which was the most serious in your opinion.

Check only one.

- ☐=(1) **No Injury**
- ☐=(2) **Minor Injury - Cut, Bruise, Scrape, etc. - No Medical Treatment by a Professional Needed - No Work or School Missed**
- ☐=(3) **Moderate Injury - Stitches, etc. - Medical Treatment by a Professional Needed - Less than a day of Work or School Missed**
- ☐=(4) **Serious Injury - Hospitalization, Broken Bone, etc. - Medical Treatment by a Professional Needed - Full Day or More of Work or School Missed**
- ☐=(5) **Very Serious Injury - Life Threatening - Medical Treatment by a Professional Needed - Full Day or More of Work or School Missed**
- ☐=(6) **Death**

VI. While it is not possible to know a person's real motive, please indicate what you believe was the most likely motive behind the action of the student.

Check only one.

- ☐=(1) **The Student was Acting Intentionally**
- ☐=(2) **The Student was Acting in a Rage**
- ☐=(3) **The Student was Acting Out of Fear**
- ☐=(4) **The Student was Acting Impulsively**
- ☐=(5) **The Student did not Have Ability to Understand his/her Action**

VII. What grade was the student in at time of the suspension or expulsion?

Write the Grade Level of the Student in the Blank

_____

VIII. Indicate gender of student of this student.

Check one.

☐=(1) **Male** ☐=(2) **Female**

IX. Indicate to the best of your ability the ethnic/racial group that this student belongs to.

Check only one.

☐=(1) **White** ☐=(2) **Black** ☐=(3) **Hispanic**

☐=(4) **American Indian/Alaskan Native** ☐=(5) **Asian/Pacific Islander**

X. If the student was receiving special education services, indicate the category by checking the appropriate box. (If you are not sure, please ask your special education teacher or administrator.) If a student is receiving services under more than one category, indicate the primary disability.

Check only one. Leave blank if the student is not in special education.

- ☐=(1) **Attention Deficit Disorder (ADD)**
- ☐=(2) **Autistic**
- ☐=(3) **Behavior Disorders (BD)**
- ☐=(4) **Educable Mental Retardation (EMR)**
- ☐=(5) **Gifted**
- ☐=(6) **Hearing Impaired (HI)**
- ☐=(7) **Learning Disabled (LD)**
- ☐=(8) **Physically Impaired (PI)**
- ☐=(9) **Severe Multiple Disabilities (SMD)**
- ☐=(10) **Speech/Language**
- ☐=(11) **Trainable Mental Retardation (TMR)**
- ☐=(12) **Traumatic Brain Injury (TBI)**
- ☐=(13) **Visually Impaired (VI)**
- ☐=(14) **Other**_____

APPENDIX B

Kansas State Board of Education

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

TO: Superintendents
FROM: Dr. Sharon Freden, Assistant Commissioner and
Dr. Sid Cooley, Education Program Consultant
SUBJECT: Suspension and Expulsion Survey
DATE: March 2, 1995

As part of the efforts of the Kansas State Board of Education to address violence in our schools we are sending the enclosed survey to all middle, junior high, and high school principals in Kansas. The purpose of this study is to determine whether acts leading to the suspension or expulsion of students with disabilities are different than those committed by other students. This is being examined because of concern expressed by educators over limitations on suspending or expelling students who receive special education services.

During the debate on the *Gun-Free Schools Act* , we were requested by Senators Dole and Kassebaum for information on this issue. Congress will soon be considering the reauthorization of the *Individuals with Disabilities Education Act* (IDEA). The information obtained by this survey will be shared not only with our Senators and Representatives, but will be used to make recommendations to Congress regarding changes in IDEA. Only Statewide data will be reported. No individual school or district data will be reported. This is a one time survey to answer questions related to the nature of these acts.

A draft of the survey was presented to the Council of Superintendents on February 16, 1995 for their suggestions. For your information we are sending you a copy of the survey with the Council's suggested revisions. You do not need to distribute this to your principals, they will be mailed copies. If you have any questions, please contact Dr. Sid Cooley at the Kansas State Board of Education: 913-296-2450.

APPENDIX C

Kansas State Board of Education

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

TO: Principals
FROM: Dr. Sharon Freden, Assistant Commissioner and
Dr. Sid Cooley, Education Program Consultant
SUBJECT: Suspension and Expulsion Survey
DATE: March 7, 1995

As part of the efforts of the Kansas State Board of Education to address violence in our schools, we are sending the enclosed survey to all middle, junior high, and high school principals in Kansas. The purpose of this study is to determine whether acts leading to the suspension or expulsion of students with disabilities are different than those committed by other students. This is being examined because of concern expressed by educators over limitations on suspending or expelling students who receive special education services.

During the debate on the *Gun-Free Schools Act* , we were requested by Senators Dole and Kassebaum for information on this issue. Congress will soon be considering the reauthorization of the *Individuals with Disabilities Education Act* (IDEA). The information obtained by this survey will be shared not only with our Senators and Representatives, but will be used to make recommendations to Congress regarding changes in IDEA. Only Statewide data will be reported. No individual school or district data will be reported. This is a one time survey to answer questions related to the nature of these acts.

Please complete one survey for each of the **last three** students (regular or special education) you have **suspended or expelled** during the 1994-95 school year. Please **return all three surveys** even if you have not suspended or expelled that many students. Check "no suspension or expulsion" for those surveys you can not complete. **Example**: Suppose you have only suspended one student and expelled a second one. You would complete one survey for the suspended student and one for the expelled student. Since no other student was suspended or expelled, you would check "no suspension or expulsion" on the third survey and return it with the other two.

Return all three surveys by March 24, 1995. If you have any questions, please contact Dr. Sid Cooley at the Kansas State Board of Education: 913-296-2450.

Special Education Outcomes
(913) 296-3869

Strategic Directions for Kansas Education

The Kansas State Board of Education is charged with the general supervision of public education and other educational interests in the state. While clearly acknowledging the role and importance of local control, the State Board of Education has the responsibility to provide direction and leadership for the structuring of all state educational institutions under its jurisdiction.

The beginning place for determining the mission for the Kansas State Board of Education is the assumption that all Kansas citizens must be involved in their own learning and the learning of others. It is the combined effort of family, school, and community that makes possible the development of a high quality of life. It is the parent who is the first "teacher" of children. As we grow older, we learn that the school, the workplace, and the community support our lifelong learning and our training and retraining. The Board recognizes the responsibility it holds for Kansas educational systems and promoting quality education programs. The mission for Kansas education is:

To prepare each person with the living, learning, and working skills and values necessary for caring, productive, and fulfilling participation in our evolving, global society.

We believe that the strategic directions for the structuring of Kansas education must be organized to:

- create learning communities
- support families and young children through quality early childhood programs for all children
- strengthen parental involvement in schools and communities
- implement results-oriented curriculum and instruction which focus on learner outcomes
- provide safe, nurturing, and technologically-advanced learning environments which meet the needs of all diverse groups
- strengthen involvement of business and industry in education
- provide quality staff and organizational development

Kansas State Board of Education
Kansas State Education Building
120 S.E. 10th Avenue Topeka, Kansas 66612-1182

Board Members

Mildred G. McMillon District 1	Kathleen White, Chairman District 2	Kevin P. Gilmore District 3	Harold Hosey District 4	I. B. "Sonny" Rundell District 5
Bill Musick District 6	Wanda Morrison, Vice Chairman District 7	Michael D. Gragert District 8	Mandy Specht District 9	Steve E. Abrams District 10

Dale M. Dennis
Interim Commissioner of Education

An Equal Employment/Educational Opportunity Agency

The Kansas State Board of Education does not discriminate on the basis of sex, race, color, national origin, disability, or age in admission or access to, or treatment or employment in, its programs or activities. Any questions regarding the Board's compliance with Title VI, Title IX, or Section 504 may be directed to the Title IX Coordinator, who can be reached at (913) 296-2424, 120 S.E. 10th Avenue, Topeka, Kansas 66612-1182, or to the Assistant Secretary for Civil Rights, U. S. Department of Education.